

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MELANIE WHISLER

Plaintiff,

v.

**INTIER AUTOMOTIVE
INTERIORS OF AMERICA, INC.,**

Defendant.

No. 05-CV-0857-DRH

ORDER

HERNDON, District Judge:

Pending before the Court is Defendant's motion to vacate order granting Defendant's motion for summary judgment (Doc. 22). Specifically, Defendants move the Court to vacate its January 4, 2007 Order granting summary judgment because the motion is moot as the parties settled the case on December 13, 2006. Said motion is **GRANTED**. The Court **VACATES** its January 4, 2007 Order granting summary judgment (Doc. 21). Also, on January 5, 2007, the parties filed a stipulation for dismissal with prejudice (Doc. 23). Based on the stipulation, the Court **DISMISSES with prejudice** this cause of action. The Court **DIRECTS** the Clerk of the Court to enter judgment reflecting the same.

IT IS SO ORDERED.

Signed this 5th day of January, 2007.

/s/ David RHerndon
United States District Judge